

**Appendix 9**  
**Agency Correspondence**



**RAEFORD CRAIG LACKEY**  
SENIOR CORPORATE COUNSEL

September 6, 2002

Mr. Steven A. DeGabriele  
Director, Business Compliance Division  
Bureau of Waste Prevention  
Commonwealth of Massachusetts  
Executive Office of Environmental Affairs  
Department of Environmental Protection  
One Winter Street  
Boston, MA 02108

**Via Facsimile (617) 338-5511 and Overnight Delivery Service**

**RE: Safety-Kleen (NE), Inc.  
Massachusetts Part B Hazardous Waste License #32B/96**

Dear Mr. DeGabriele:

I represent Safety-Kleen (NE), Inc., as its in-house legal counsel. This letter is in response to yours of September 4, 2002, pertaining to the referenced facility and license. This letter is also to comply with the written request by your office for Safety-Kleen (NE), Inc. to surrender its Part B license #32B/96 to the Massachusetts Department of Environmental Protection ("DEP"), and furthermore, to notify DEP in writing of Safety-Kleen (NE), Inc.'s intent to immediately commence closure of the referenced facility.

As your office is aware, on February 22, 2002, Safety-Kleen Services, Inc. entered into an Acquisition Agreement with Clean Harbors, Inc. ("Acquisition Agreement") wherein Clean Harbors, Inc., or its Purchasing Subsidiaries, as defined in the Acquisition Agreement, agreed to purchase, among other things, all of the assets of the Chemical Services Division of Safety-Kleen Corp., including the referenced facility. This notice will be contingent upon, and effective upon, the Closing of the sale of the referenced facility and of the Chemical Services Division of Safety-Kleen Corp. to Clean Harbors, Inc., or its Purchasing Subsidiaries.

If you have questions, please contact me directly at (803) 933.4243. Thank you.

Sincerely,

Raeford Craig Lackey, Esq.  
Senior Corporate Counsel  
Safety-Kleen Corp.  
Attorney for: Safety-Kleen (NE), Inc.

SAFETY-KLEEN CORP.

1301 GERVAIS STREET, SUITE 300 (29201), P.O. BOX 11393 (29211), COLUMBIA, SOUTH CAROLINA  
803-933-4243 FAX: 803-933-4380 E-Mail: clackey@safety-kleen.com



copy: William F. Connors (via facsimile and U.S. Mail)  
Director of Regulatory Affairs  
Clean Harbors Environmental Services, Inc.  
1501 Washington Street  
P.O. Box 859048  
Braintree, MA 02185-9048



Sutton Street  
North Andover, MA 01845

December 6, 2002

Commonwealth of Massachusetts  
Department of Environmental Protection  
Attn: Anna Stern  
One Winter Street, 9<sup>th</sup> floor  
Boston, MA 02108

Re: Closure of Safety-Kleen (NE) Facility, MAD000604447

Dear Anna:

This letter is written to confirm our recent telephone conversations relating to the closure of the Safety-Kleen (NE) facility at 300 Canal Street, Lawrence, MA.

The last shipment of waste from the facility occurred on December 4, 2002, which is within the 90-days allowed in the regulations for closure. At this point, the facility is emptied of all stored hazardous waste.

As we discussed, as of December 4, the facility will no longer conduct inspections that had been outlined in the Facility Inspection Plan, as part of the Part B Permit #32B/96. Instead, as the cleaning and sampling program get underway, if waste is accumulated on site at the facility, the facility will comply with the Large Quantity Generator regulations 310 CMR 30.340, and conduct weekly inspections of waste storage areas.

This letter will also confirm our discussion of the Debris Rule and how it would be applied to the closure of the facility. As had been allowed in previous TSDF closings in the state, Clean Harbors is planning to utilize the variance to the Debris Rule which would allow evaluation of visible contamination in cracks per square yard instead of per square inch. This will be included in the sampling plan which will be submitted to the Department shortly.

If you have any questions about the progress at the facility, please do not hesitate to call me at (978) 683-1002 x5304. Thank you, as always, for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "JSoltys", is written over the name Jean M. Soltys.

Jean M. Soltys  
Compliance Manager

Cc: Bill Connors, CHES



December 20, 2002

Ms. Anna Stern  
Commonwealth of Massachusetts  
Department of Environmental Protection  
One Winter Street  
Boston, MA 02108

Re: Safety-Kleen (NE) Part B Facility Closure  
License #32B/96

Dear Ms. Stern:

Enclosed please find a copy of the Safety-Kleen (NE) Proposed Sampling Plan, which outlines the procedures for cleaning and sampling of the facility to comply with the closure requirements described in 310 CMR 30.580.

Please review the sampling plan at your earliest convenience. Please contact Jean Soltys, at (978) 683-1002 x5304, if you would like to meet to discuss this submittal, or if you approve moving forward with the plan as submitted.

Thank you for your help.

Sincerely,

Lin Longshore  
Senior Vice President, Engineering, Environmental, Health and Safety  
Safety-Kleen Corp.

cc: Jean Soltys, CHES  
Bill Connors, CHES



Sutton Street  
North Andover, MA 01845

January 13, 2003

Ms. Anna Stern  
Commonwealth of Massachusetts  
Department of Environmental Protection  
One Winter Street, 9<sup>th</sup> Floor  
Boston, MA 02108

Re: Closure of 300 Canal Street, Lawrence Facility, Part B License 32B/96

Dear Anna:

This letter is written pursuant to 310 CMR 30.584 (2) to request a 90-day extension to the 180-day deadline for facility closure of the Safety-Kleen (NE) TSDF that Clean Harbors purchased in September 2002.

As you know, the 90 day deadline for removal of all waste stored at the facility has been met and the company has entered the phase of developing the plan for cleaning and sampling at the facility. This plan was submitted to DEP for review at the end of December, 2002.

This request for extension anticipates that the work can begin shortly after DEP reviews the plan. However, Clean Harbors wants to ensure that there is adequate time not only for the review of the plan but also for the completion of the tasks described in the plan. Clean Harbors believes that a 90-day extension should provide sufficient time to bring this project to completion.

Clean Harbors continues to maintain a contingency plan for the facility and intends to take all steps to prevent threats to the public health, safety, welfare and the environment, including compliance with all applicable license requirements.

If you have any questions or would like to discuss this request, please do not hesitate to contact me at (978) 683-1002 x5304.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Soltys", is written over a horizontal line.

Jean M. Soltys  
Compliance Manager



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY  
Governor

KERRY HEALEY  
Lieutenant Governor

ELLEN ROY HERZFELDER  
Secretary

EDWARD P. KUNCE  
Acting Commissioner

March 11, 2003

Ms. Jean Soltys, Compliance Manager  
Clean Harbors Environmental Services, Inc.  
221 Sutton Street  
North Andover, MA 01845

Re: Closure of 300 Canal Street, Lawrence Facility, Part B License 32B/96

Dear Ms. Soltys:

The Department is in receipt of your letter requesting a 90-day extension to the 180-day deadline for facility closure of the Safety-Kleen (NE) TSDF that Clean Harbors purchased in September 2002.

The extension is necessary to ensure that there is adequate time for the review of the plan, possible revisions required by the Department to the plan and also for the completion of tasks described in the plan.

Pursuant to 310 CMR 30.584 (2) the Department hereby approves your request for a 90-day extension to complete closure of the Safety-Kleen (NE) Lawrence facility by June 6, 2003.

Please note that Clean Harbors shall maintain adequate financial assurance for the facility at all times through the closure process. It shall also maintain a contingency plan for the facility and shall continue to take all steps to prevent threats to public health, safety, welfare and the environment, including compliance with all applicable license requirements.

If you have any questions regarding this approval, please call me at (617) 292-5904.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anna Stern".

Anna Stern, Permit Engineer  
Business Compliance Division  
Bureau of Waste Prevention





Sutton Street  
North Andover, MA 01845

*see file  
amended  
Safety Plan*

April 11, 2003

Ms. Anna Stern  
MA DEP  
One Winter Street, 9<sup>th</sup> floor  
Boston, MA 02108

Re: Safety-Kleen (NE) Sampling Plan

Dear Anna:

Based on our recent meeting and discussions regarding the previously proposed sampling plan for the closure of the Safety-Kleen facility in Lawrence, MA, Clean Harbors has amended the plan submitted to the Department on December 20, 2002. Enclosed with this letter is the amended plan for your review.

We look forward to having you and your colleagues come to the facility to address any further questions that the Department may have. We would like to move forward and implement the plan as soon as possible.

Please advise once the Department has a chance to review. Thank you for your help.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Soltys", is written above the printed name.

Jean M. Soltys  
Senior Compliance Manager

Enclosure

cc: Lin Longshore, SK  
Gary Garfield, URS  
Paul Pukk, CHES  
Bill Connors, CHES





Sutton Street  
North Andover, MA 01845

May 5, 2003

Ms. Anna Stern  
Commonwealth of Massachusetts  
Department of Environmental Protection  
One Winter Street, 9<sup>th</sup> Floor  
Boston, MA 02108

Re: Closure of 300 Canal Street, Lawrence Facility, Part B License 32B/96

Dear Anna:

This letter is written pursuant to 310 CMR 30.584 (2) to request a 90-day extension to the June 6, 2003 deadline for completion of closure activities at the Safety-Kleen (NE) facility in Lawrence, MA.

As you know, it has taken some time to complete a sampling plan and the anticipated start of actual cleaning and sampling activities is within the next week. Clean Harbors expects to be able to have the project complete within another 90 day time period.

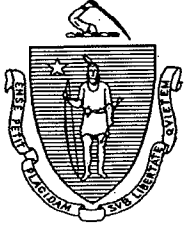
Clean Harbors continues to maintain a contingency plan for the facility and intends to take all steps to prevent threats to the public health, safety, welfare and the environment, including compliance with all applicable license requirements.

If you have any questions or would like to discuss this request, please do not hesitate to contact me at (978) 683-1002 x5304.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Soltys", is written over the typed name.

Jean M. Soltys  
Senior Compliance Manager



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY  
Governor

KERRY HEALEY  
Lieutenant Governor

ELLEN ROY HERZFELDER  
Secretary

EDWARD P. KUNCE  
Acting Commissioner

July 9, 2003

Ms. Jean Soltys, Compliance Manager  
Clean Harbors Environmental Services, Inc.  
221 Sutton Street  
North Andover, MA 01845

Re: Closure of 300 Canal Street, Lawrence Facility, Part B License 32B/96

Dear Ms. Soltys:

The Department is in receipt of your letter requesting a 90-day extension to the 180-day deadline for facility closure of the Safety-Kleen (NE) TSDF.

The extension is necessary to ensure that there is adequate time for completion of the actual cleaning and sampling activities. As discussed at our meeting on July 2, 2003, the initial sampling activities indicated five locations requiring further analysis. This operation will take some additional time to complete.

Pursuant to 310 CMR 30.584 (2) the Department hereby approves your request for a 90-day extension to complete closure of the Safety-Kleen (NE) Lawrence facility by September 6, 2003.

Please note that Clean Harbors shall maintain adequate financial assurance for the facility at all times through the closure process. It shall also maintain a contingency plan for the facility and shall continue to take all steps to prevent threats to public health, safety, welfare and the environment, including compliance with all applicable license requirements.

If you have any questions regarding this approval, please call me at (617) 292-5904.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anna Stern".

Anna Stern, Permit Engineer  
Business Compliance Division  
Bureau of Waste Prevention





221 Sutton Street  
North Andover, MA 01845

September 5, 2003

Ms. Anna Stern  
Commonwealth of Massachusetts  
Department of Environmental Protection  
Bureau of Waste Prevention  
One Winter Street, 8<sup>th</sup> Floor  
Boston, MA 02108

Re: Closure of Lawrence Facility, Part B Permit 32B/96

Dear Anna:

This letter is written to confirm to you that the work to close the Hazardous Waste Facility located at 300 Canal Street, Lawrence, MA has been completed.

Based on our meeting of August 22, 2003, there were nine areas in the facility that required additional attention before the project could be finished. They were:

1. Area near sampling point C20 needed additional cleaning on walls/floor.
2. First flammable storage room had paint to be washed off walls in corner.
3. The loading dock walls were to be re-washed.
4. Wall of consolidation dike in solids consolidation room was to be re-washed.
5. The area underneath the compactor was to be pressure washed.
6. Loose epoxy from the floor was to be removed from solids consolidation area.
7. The floor beneath the spill tank was to be re-washed.
8. Area near sampling point C21 (acid dike) was to be scarified.
9. Marked area in first alkaline dike was to be scarified.

All work as agreed has been completed. In addition, we have washed the columns as you had requested. Gary Garfield, from URS Corp., re-inspected the facility on Friday, September 5.

We will now begin the task of compiling all the documentation for this project and anticipate submitting the closure report and PE certification shortly.

As always, feel free to call me with questions at (978) 683-1002 x5304.

Sincerely,

A handwritten signature in dark ink, appearing to read "JMS", is written over a light-colored background.

Jean M. Soltys  
Senior Compliance Manager

cc: Bill Connors, CHES  
Paul Pukk, CHES  
Lin Longshore, Safety-Kleen